Appendix 2 - Issue Disposition

Environmental Assessment Number OR-086-01-01

Scoping consisted of listing the proposed project in the in the June, September, and December 2000 and March 2001 editions of the quarterly *Salem District Project Update* which was mailed to over 1,000 addresses, and a letter and scoping report (Project Record document 51) was mailed on July 26, 2000 to124 potentially affected and/or interested individuals, groups, and agencies (Project Record document 51). A total of 10 letters were received as a result of this scoping effort. All public input was assigned a number and filed within the Project Record (Project Record documents 39, 52-55, 58, 62-65). Prior the initiation of scoping, one comment letter was received (Project Record document 47) and following completion of scoping additional comments were received (Project Record document 138). All public input was assigned a number and disposition of those comments is disclosed below. All comments presented in this document are direct quotes from the comments received.

Project Record document 47- On July 14, 2000 the BLM received a letter, dated July 11, 2000, from Leeanne Siart representing the ONRC.

The July 11, 2000 letter addressed 5 general topics, Roadless/wilderness Area and Road Building Issues, Old-Growth, Fish and Wildlife, Water quality and NEPA Documentation.

The comments related to Roadless/Wilderness area and Road Building and Old-growth are not relevant to the Plentywater Creek Project. The Roadless Initiative applies to USFS lands, not BLM. Wilderness issues are not relevant because there is not designated wilderness in the Project planning area. Old-Growth issues are not relevant because there is no treatment of Old-growth forests proposed in the project. The Plentywater Creek project analysis as it pertains to Fish, Wildlife, and Water quality are discussed thoroughly in the NEPA documentation as represented by the attached project specific EA.

comment a: *Impacts on old-growth species should be discussed in detail in the EA. This should include a functionality analysis of dispersal for the northern spotted owl between LSR's and analysis if effects on such species as the goshawk, bats, Canada Lynx, woodpeckers, Pine Marten, California Wolverine, Red Tree Vole, Great Gray Owl, Pygmy Nuthatch, Bald Eagle and other special status species listed in applicable management plans. Special attention to snag habitat is needed.*

BLM Response: Please see Appendix 10 "Biological Evaluation for Wildlife Resources" of the EA for a discussion of the effects of the alternatives on wildlife resources.

comment b: *Special status species surveys must be completed prior to developing NEPA alternatives and before the decision is determined. On the ground field reconnaissance*

surveys must be done and used to develop NEPA alternatives.

BLM Response: Pursuant to the Record of Decision for Amendments to the Survey and Manage Protection Buffer and Other Mitigation Measures Standards and Guidelines in Forest Service and Bureau of Land Management Planning Procedures Within the Range of the Northern Spotted Owl (January 2001), required surveys will be completed and their results included in an Environmental Assessment or draft Environmental Impact Statement, which ever is practicable.

comment c: *Project analysis should separately discuss each of the Aquatic Conservation Strategy objectives (under the Northwest Forest Plan).*

BLM Response: Please refer to Appendix 9 and 11 of the EA for a discussion each alternatives effects on the ACS objectives.

comment d: *Any commercial activities or road construction in key watersheds or municipal watersheds should be avoided to protect water quality.*

BLM Response: The Dairy-McKay Creek and Rock Creek watersheds are not key watersheds. Rock Creek watershed is not a municipal watershed. For an analysis of the effects of the Plentywater Creek Project on municipal watersheds, see Chapter 3 of the EA.

comment e: *A full range of alternatives should be considered for this sale. These alternatives should include wildlife enhancement, restoration, old growth (sic) protection (minimum fragmentation), and non-motorized recreation.*

BLM Response: Alternatives are issue driven and must fulfill the purpose of and need for action. Considering public comments, Rural Interface was determined by the IDT to be a Major Issue. In addition, potential impacts to Soil and Water resources from the regeneration harvest and density management thinning project were identified by the IDT as a major issue. These issues define the scope of environmental concern for the regeneration harvest and density management project and was used to formulate the alternatives contained in Chapter 2 of the EA. The proposed action includes forest management actions in Matrix and Riparian Reserve, as well as watershed restoration actions.

The July 11, 2000 letter from Leeanne Siart incorporated by reference a generic comment letter which was not specific to this project, and as such contained a large number of comments which are irrelevant to the Plentywater Creek Project. That generic letter was reviewed by the IDT. Presented below are those comments which we believe are relevant to this project, followed by our responses to those comments.

comment f: *A Road or Transportation Management Plan should be developed before any more roads are constructed or reconstructed. Any proposed road construction or reconstruction should be considered in the framework of such a plan. Because of all the negative effects associated with roads (sediment, invasive species, fire ignition sources, habitat fragmentation,*

etc), if a road is only needed to facilitate timber harvest, then it's really not needed at all, and the harvest proposal should be reconsidered.

BLM Response: The BLM Western Oregon Transportation Management Plan was completed in 1996 and the Salem District Implementation Strategy for the Western Plan was completed in 1999. Any proposed road construction or reconstruction will be considered in the framework of these plans. The timber sale portion of the Plentywater Creek project is in Matrix and Riparian Reserves land use allocations. According to the Salem District ROD/RMP one of the objectives for Matrix lands is to "produce a sustainable supply of timber and other forest commodities..." (ROD/RMP pg. 20). One of the roads objectives is to "manage roads to meet the needs identified under other resource programs" which includes timber resources management (ROD/RMP pg. 62). Timber resources management action/direction in Matrix lands for roads is to "keep new road construction to the minimum needed for access to planned harvest units or for management of other resources" (ROD/RMP pg. 46). Roads would be looked at individually to determine the standards needed to accomplish the Salem District Management Objectives.

comment g: *We also encourage you to look closely at any road restoration plans to evaluate the state the road is in, and whether there should be reconstruction. If the road has been substantially revegetated, reconstruction of a road can be just as damaging as new road construction.*

BLM Response: For an analysis of the Plentywater Creek projects associated road needs, please see EA chapter 3. Also refer to BLM Response to Project Record Document 47 comment f.

comment h: *Complete a full EIS for this project area. An EIS should be created in order to fully evaluate all potential harms to the ecosystems.*

BLM Response: As stated in the EA, Chapter 1.2, an EIS will be prepared if the Tillamook Field Manager determines that the proposed action will have a significant impact on the quality of the human environment.

comment i: *Provide good maps of the proposed alternatives and the existing environmental baseline. It is important to provide good maps so that the intentions of the project are clear and understood. Good reproduction is critical. We too often get black and white copies of color maps or third generation copies of poor resolution maps. If aerial photos are used by the ID Team in the development of alternatives, provide high quality reproductions of them in the NEPA document.*

BLM Response: We agree that high quality maps are beneficial in understanding a project. This is why we strive to provide high quality maps with our documents. Please see the EA for maps of the project area.

comment j: *All maps created should provide not only the alternatives, but a good reproduction*

of the surrounding area so that we can look at cumulative impacts to the project. Providing information about previous projects in the area as well as future projects planned is critical in evaluating for cumulative impacts.

BLM Response: Maps showing the Non-Federal lands in the Plentywater Creek Project area are available by request by contacting the BLM at this office. For a complete analysis of the expected cumulative effects of this project, please see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment k: *A full range of action alternatives must be considered for this sale. These alternatives should include wildlife enhancement, old growth protection (minimum fragmentation), and non-motorized recreation. All alternatives that include timber harvesting should emphasize the use of uneven-aged management. Before even-age management is selected as the preferred alternative, the EA/EIS must discuss the site specific impacts of cutting on the particular timber stands being logged, especially when those stands are old-growth. Site specific impacts of group selection must be analyzed and disclosed.*

BLM Response: See BLM Response to Project Record document 47, comment e.

comment l: *A full analysis of the "No Action" alternative should be included in the Environmental Assessment. This analysis should provide a complete description of existing natural resources in the area and potential future uses of the area in its undeveloped state. The environmental consequences of the "no action" alternative should serve as the baseline condition to which all of the action alternatives are compared. All benefits of a "no action" alternative should be shown, weighing and balancing the short-term and long-term impacts. Do not make any unsound assumptions that tend to bias the decision-maker against the no action alternative. (e.g., a future with either no disturbance or only catastrophic disturbance).*

BLM Response: The analysis in the EA will include the alternative of "no action." There are two interpretations of the no action alternative. One interpretation is continuing current management and the other interpretation is not doing the proposed action. The IDT used the latter interpretation in the development of the no action alternative which was analyzed in EA Number OR-086-01-01. This no action alternative was used to set the environmental baseline for comparing effects of the action alternatives.

comment m: *NEPA requires that the methods used by resource specialists to collect and analyze data be documented in the EA/EIS or analysis files. The scientific integrity of discussion and analysis in the EA/EIS must be insured. Documenting research methods will help assure this.*

BLM Response: It is standard operating procedure to document the basis of the effects analysis contained in our environmental documents.

comment n: *If a decision is made that combines elements from two or more alternatives, then*

the EA/EIS must reflect the specific impacts of this blended decision.

BLM Response: Thank you for your comment. A decision may combine elements from two or more alternatives as analyzed within an EA/EIS.

comment o: *Alternatives that include regenerative logging units must discuss the site-specific effects of regen on individual stands.*

BLM Response: The Plentywater Creek project includes regeneration harvest. For a complete analysis of the environmental impacts of the project, Please see Chapter 3 "Affected Environment and Environmental Consequences" of the EA.

comment p: *Efforts should be made to prevent the need for vegetation management and herbicides according to the vegetation management mediated agreement (Civil No. 83-6272-E-BU).*

BLM Response: The Vegetation Management mediated agreement (Civil No. 83-6272-E-BU) applies only to the United States Forest Service. As such, it is not applicable to BLM Lands.

comment q: *The EA/EIS should specifically state whether and how all the Districts' Management Directions will be complied with.*

BLM Response: The management actions proposed and analyzed in the Plentywater Creek Project EA are directed by and consistent with the Salem District RMP. Please see EA chapter 3.7 Conformance With Land Use Plans, Policies, and Programs for additional details.

comment r: *All abbreviations and forestry terms used in the EA/EIS should be explained.*

BLM Response: Please see the glossary of the EA which contains definitions of terms used in the EA.

comment s: *If cutting of green trees is planned in any salvage sale, the proposed amount and location by units should be specifically listed in the EA/EIS.*

BLM Response: This comment is irrelevant to the Plentywater Creek Project as it does not include any salvage activities.

comment t: *Forest Plan compliance. All timber sales, silvicultural activities and other projects must conform to the Standards and Guidelines under Option 9. While the Clinton Forest Plan leaves old-growth dependent species at great risk, land managers must at the very least comply with all mitigation measures and Standards & Guidelines under the Final Supplemental Environmental Impact Statement on Management of Habitat for Late Successional and Old-Growth Related Species within the Range of the Northern Spotted Owl (referred to herein as the NFP ROD).*

BLM Response: The management activities proposed and analyzed in the Plentywater Creek project EA are consistent with the NFP ROD. See EA Chapter 3.7 for details.

comment u: *The EA/EIS should specifically state whether and how the Standards and Guidelines listed in the NFP ROD and the applicable Land and Resource Management Plan or Resource Management Plan will be complied with. References to specific Standards and Guidelines should be included in the EA/EIS, with page cites to the NFP ROD and applicable LRMP or RMP.*

BLM Response: Please see BLM Response to project record document 43 comments r and u above.

comment v: *The agency must address the new information supplied by the Forest Service Scientific Analysis Team's (SAT) March 1993 report, "Viability Assessments and Management Considerations for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest". All recommendations and mitigation measures recommended by the SAT should be implemented into any planned sale. Specifically, all mitigation options from pp. 276-302 of the report, and all implementation measures from pp. 485-495 of the report should be incorporated into any planned sale. Additionally, all ongoing activities that are not fully consistent with the SAT's new recommendations should be modified to comply with the new standards and guidelines or canceled if they conflict with the SAT's recommendations.*

BLM Response: The SAT is a Forest Service document, not a BLM document. Also see BLM Response to project record document 43 comments r and u above.

comment w: *A supplemental EIS is needed to address significant changes to the proposed action in the NFP ROD.*

BLM Response: Comment is outside the scope of the proposed action. The Plentywater Creek project does not propose any changes to the NFP, therefore it is not necessary to prepare a supplemental EIS for this project.

comment x: *If thinning is planned, the agency needs to assess what affect thinning will have on the spread of forest pathogens, expected damage to the boles of unharvested trees, expected increase in blowdown, impacts on fire risk, and soil compaction/disturbance impacts. The EA/EIS should include a discussion of how all these factors are balanced in the decision-making process.*

BLM Response: The Plentywater Creek project proposal includes commercial thinning. The expected impacts to relevant resources are addressed in Chapter 3 of the EA.

comment y: *For every project that proposes to remove trees from the site, the agency must consider all the benefits of not removing the trees, including but not limited to: the need for*

woody material on sites that are currently deficient, avoiding the need to build or reconstruct logging roads in sensitive areas to access the yarding, avoiding the need to haul trees across streams or over valley bottom roads.

BLM Response: Please refer to the EA Chapter 3 "Affected Environment and Environmental Consequences" for a complete analysis of the "no action" Alternative.

comment z: *Shelterwood harvesting clears large stands and leaves very few trees. Logging by large block management is inefficient because it destroys habitat and leaves little behind to reforest the site. The compaction of soils due to ground based logging and the disturbance of vegetation will not easily regenerate. Logging in such large increments is extremely harmful to many species and should not be a part of this project.*

BLM Response: While there are technically no shelterwood silvicultural prescriptions proposed in this project, the net result of the regeneration treatments are similar to a shelterwood harvest in terms of the numbers of overstory trees that would remain following harvest. Reforestation is not anticipated to be a problem in these stands. Planting of a mixture of species of native conifer seedlings produced from a local seed source is a well established and historically successful operation in this area. Refer to the Soils and Wildlife sections of the Environmental Consequences for a discussion of the effects of soil compaction and the impacts of this action on wildlife.

comment aa: *The presence of insect-damaged, fire-damaged, diseased or dying trees are a normal occurrence in a healthy forest ecosystem, they are not unusual circumstances. Diseased, dead, or dying trees provide habitat for species. These trees are of greater value to the health of these ecosystems if left in place. Logging or thinning, including salvage logging will not protect or enhance late-successional, old-growth or roadless area conditions. Logging, thinning, and salvage activities in naturally regenerating stands will impede the development of these conditions. The agency must protect these forests by not allowing logging, thinning, or salvage of any kind of naturally regenerating stands in late-successional forests, old-growth or roadless areas.*

BLM Response: The proposed action does not include any timber harvest in late-successional, old growth, or roadless areas.

comment bb: *The EA/EIS should include an analysis of blowdown potential in the stands adjacent to logged units. Other "edge" factors related to clearcutting should be considered, including: sun scorching of light-sensitive plants, fire danger, microclimate modification, and wildlife impacts.*

BLM Response: The proposed action does not include any clearcut prescriptions, but some of the impacts mentioned in the above comment do apply to some degree in the regeneration harvest units where there would be an average of 8 to 12 large trees per acre remaining following treatment. The potential for blowdown in adjacent stands, scorching of light-sensitive species,

increased fire danger, microclimate modification, and impacts to wildlife have been considered and determined by the IDT to be minimal and will be discussed as appropriate in Chapter 3 of the EA.

comment cc: *Mycorrhizae fungi and impacts to other companion species. The analysis files should include a report by the soil scientist or silviculturist concerning the loss of mycorrhizae fungus and soil nitrogen as a result of timber logging.*

BLM Response: The risk of the proposed actions adversely affecting the soil organisms, including mycorrhizal fungi, and nitrogen is believed to be low for the following reasons.

1) Rapid re-vegetation expected due to favorable site conditions (e.g., beneficial climate, high productive and resilient soils);
2) In regeneration harvest areas sufficient green trees would be retained for up to 5 years to supplement 240 lineal feet per acre CWD, in addition to the 6-8 green wildlife trees that would be retained per acre. These trees are expected to provide innoculum to colonize the planted seedlings with mycorrhiza;
4) Design features to retain large mature green trees, snags, unmerchantable tops and limbs, and existing down large woody debris;
5) Protection of large undisturbed and lightly thinned areas (Riparian Reserves) adjacent to harvest areas for refuge; and
6) Design features to minimize soil disturbance, compaction and erosion.

Also see discussion on soil productivity in Chapter 3 of the EA.

comment dd: *Please disclose the impacts of timber logging on soil ecology a described by Dr. Elaine Ingham at http://www.rain.org/~sals/ingham.html. This is a very serious issue that we have not seen described in any serious way in a NEPA document. This discussion should include information on the death of symbiotic mycorrhizal fungi following timber logging; the soil trophic impacts and expected losses of nutrients following disturbance; the expected changes in soil biota (including an increase in opportunistic/generalist soil organisms after soil disturbances such as timber logging); and the recovery time for soil ecosystems.*

BLM Response: Adverse impacts to the area soil ecology are unlikely. See BLM Response to Document 24 comment ii.

comment ee: *The effect of timber harvest on canopy epiphytes is also important. These canopy dwellers include cyanolichens that fix large amounts of nitrogen which provides an important nutrient source for mammals as well as plants. The NEPA document should discuss the impact of logging on these canopy epiphytes.*

BLM Response: This subject is discussed in the FEIS (*Salem District Resource Management Plan Final Environmental Impact Statement),* dated September 1994. Provisions for preserving the diversity of epiphytic communities put forth in the FEIS (e.g. maintaining patches of trees as

refugia, retaining older trees) will be implemented. Additionally, research has shown that cyanolichens were essentially absent from study stands less than 100 years old and so threats to these organisms persistence from the proposed Plentywater Creek project should be small (McCune, 1993).

comment ff: *The NFP ROD requires that "harvest methods be modified to minimize soil and litter disturbance . . . that may occur as a result of yarding and operation of heavy equipment" NFP ROD page C-44. The Regional Guide also requires that 80 percent of each activity area be free from soil compaction, displacement, and disturbance.*

BLM Response: Soil and litter disturbance will be minimized by the implementation of appropriate project design features and BMPs. During development of the proposed action, the IDT identified a soil and water issue and developed Alternative 3 the Soil and Water alternative to address the issue.

The Regional Guide you refer to is a U.S. Forest Service guide applicable to National Forest land in Region 6. It does not apply to BLM land. The extent of skid trails would be limited to less than 10 percent of the timber unit, according to the BMPs in Appendix C-2 of the RMP.

comment gg: *The agency should quantitatively estimate for each alternative, the amount of soil that would be displaced as a result of logging activities. Risks of erosion and mass soil movements must be considered as they relate to long-term site productivity, regeneration and off-site impacts.*

BLM Response: For a complete analysis of the effects on soil compaction/disturbance in the Plentywater Creek Project see EA Chapter 3 “Affected Environment and Environmental Consequences”.

comment hh: *Soil compaction is of concern. The agency must do reliable pre-planning surveys of existing soil compaction/disturbance in all proposed sale units that have had ANY prior entry for salvage, thinning, or any other purpose. The unit-specific impacts of the proposed action must be added to the unit-specific results of pre-planning soil analyses to ensure compliance*
with the 20 percent soil compaction/disturbance limits.

BLM Response: For a complete analysis of the effects on soil compaction/disturbance in the Plentywater Creek Project see EA Chapter 3 “Affected Environment and Environmental Consequences.”

The “20 percent soil compaction/disturbance limits” you refer to is a US Forest Service guide, not BLM. The extent of skid trails would be limited to less than 10 percent of the timber unit, according to the BMPs in Appendix C-2 of the RMP

comment ii: *To protect soil resources from compaction and disturbance, methods other than*

machine-piling and tractor-yarding should be employed wherever possible. The agency should document the level of compaction and disturbance when machine-piling and tractor-yarding are employed. Mechanical "sub-soiling" is not a suitable mitigation for proposed soil compaction. In
light of the long-term impacts of soil compaction, avoiding soil impacts is the only solution.

BLM Response: We agree that forest management practices should minimize soil compaction and disturbance. However adverse effects on soils cannot be completely eliminated no matter the practice. Adverse effects need to kept within acceptable limits. We believe that subsoiling compacted soil is a good management tool that can be used to ameliorate impacts. For a complete analysis of the effects on soil compaction/disturbance in the Plentywater Creek Project see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment jj: *The EA/EIS must clearly state whether any roads are proposed for construction or reconstruction within Riparian Reserves, and which of these if any will require stream crossing(s). Also, clear maps should be included, showing the stream network and prescribed (or adjusted) Riparian Reserves and wetlands, in relation to all existing and proposed roads.*

BLM Response: The Plentywater Creek project includes reconstruction of three road segments located within Riparian Reserves; In T2N R3W Sec. 3 W.M. road needed for access currently has a culvert where it crosses a non-fish bearing stream; In T2N R2W Sec. 17 W.M. a spur road segment has slumped requiring reconstruction and a truck turn-around area would require construction. These roads and turn-around areas are necessary to access areas to be harvested using ground base equipment and would only be used in the dryer months and would be decommissioned as a feature of the project. Decommissioning would include culvert removal (Sec. 3) and slope recontouring (Sec. 17). In T3N R3W Sec. 33 W.M. a road that was damaged by the 1996 flood event may be reconstructed. This road may be needed to accessing BLM lands if alternate access cannot be secured. Also, adjacent land holders have road use rights which may require reconstruction. For a complete analysis of the effects of roads in the Plentywater Creek Project see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment kk: *For road reconstruction please indicate what the existing state of the revegetation, hydrology, and sediment production for the road being reconstructed.*

BLM Response: Please see EA Chapter 3 "Affected Environment and Environmental Consequences" for a discussion of roads in the Plentywater Creek project.

comment ll: *If any road construction, reconstruction, or road use is proposed, the EA/EIS should provide the analysis used to determine that any stream crossings will withstand a 100-year flood event, and a description of any measures taken to "prevent diversion of streamflow out of the channel and down the road in the event of a crossing failure." The EA/EIS should include information concerning a 100-year flood and what would be required of road/stream crossings to withstand such an event*.

BLM Response: Road construction, Reconstruction and road maintenance would be conducted in accordance with BMP identified in Appendix C of the Salem District RMP in order to minimize impacts on water quality. For an analysis of the impacts of roads and road use in the Plentywater Creek project please see Chapter 3, "Affected Environment and Environmental Consequences," of the EA.

comment mm: *Road/stream crossings must be constructed and maintained to prevent diversion of streamflow out of the channel and down the road in the event of crossing failure. (RF-4, NFP ROD at C-33).*

BLM Response: There is one existing road that would be reconstructed to accomplish harvest activity that has an existing culvert crossing a non-fish bearing stream in T2N R3W sec. 3. This road would be used to access an area to be harvested in dry soil conditions using ground base equipment. Following harvest, the road would be decommissioned and the culvert removed. For a complete analysis of the effects of roads in the Plentywater Creek Project see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment nn: *Minimize sediment delivery to streams from roads. Outsloping of the roadway surface is preferred.*

BLM Response: See BLM Response to Project Record document 47 comment ll.

comment oo: *Restore and maintain fish passage at all road crossings of existing and potential fish-bearing streams. (RF-6, NFP ROD at 33).*

BLM Response: No road crossings on BLM within the proposed project area were identified as blocking fish passage. Our practice is that any road crossings located on fish-bearing streams, and potentially fish bearing streams, are designed to allow fish passage when they are placed or replaced. Culverts that prevent passage of fish at any life stage are identified and scheduled for replacement as funding becomes available. For a complete analysis of the effects of roads on Fish resources in the Plentywater Creek Project see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment pp: *An assessment of all existing road crossings in the project area should be included in the EA/EIS, as well as analysis of any proposed road crossings.*

BLM Response: A road condition inventory for all BLM controlled haul routes is done during the planning phase to identify any potential problems associated with the roads which would require corrective action. For a complete assessment of the impacts of roads, please see Chapter 3 "Affected Environment and Environmental Consequences" of the EA.

comment qq: *Be sure to address the invasive species impacts caused by roads.*

BLM Response: For a discussion of noxious and invasive weeds see EA Appendix 5,

"Biological Evaluation for Special Status Plant Species/Survey and Manage Species and Noxious Weeds."

comment rr: *It is important to avoid all entry into forested ecosystems unless proper mitigation for species is provided. Some species have poor dispersal capabilities and need a greater area of*
protection than others. It is very important that any mitigation projects be fully implemented in order to ensure the viability of the species. Mollusks, fungi, lichen, mosses & bryophytes, amphibians, arthropods, and some plants are of concern because of their poor dispersal abilities. Please discuss this issue in the EA/EIS.

BLM Response: Refer to Chapter 3 and Appendix 5 and 10 of the EA for a discussion of the anticipated impacts to mollusks, fungi, lichen, mosses & bryophytes, amphibians, arthropods etc..

comment ss: *We are also concerned about the failure to complete species surveys (including T&E, sensitive, survey and manage, and protection buffer) prior to developing NEPA alternatives. The results of surveys should be used to develop NEPA alternatives. Too often wildlife survey information comes in after the units are placed and the presence of the species is viewed as an impediment to getting the cut out. If the surveys were done sooner, such as during watershed analysis, then the perceived conflict would be greatly reduced.*

BLM Response: There is no procedural requirement to complete surveys prior to the development of NEPA alternatives. Specifically, issues (a major point of discussion, debate, or dispute about environmental effects of the proposed action) drive the development of alternatives. Since the BLM is required to manage known sites consistent with existing management direction and policy, there is no issue to drive the development of an alternative. Also, see BLM Response to Project Record Document 47 comment b.

comment tt: *To comply with regulations, the biological evaluation for sensitive, threatened and endangered plants and animals for this activity must be completed before the draft EA/EIS is finalized. On-the-ground field reconnaissance for the BE must be performed when potential habitat is present, and must be done at the time of year when species are most likely to be identified; that is, blooming season for most plant species, night time for some animal species and winter time to identify the tracks of certain elusive animal species. Level A surveys consisting of file cabinet review are unacceptable when potential habitat is found.*
On-the-ground surveys must be done.

BLM Response: Appendix 10, "Biological Evaluation for Wildlife Resources," discusses the potential impacts to ESA Listed Species, Survey and Manage Species, other Northwest Forest Plan Species, BLM Manual 6840 Special Status Species, and other species of concern.

comment uu: *The Forest Service and BLM must prepare a Supplemental EIS on the environmental effects of not doing surveys for rare and sensitive species and not managing species on sites where they are found as required by the NFP ROD at page C-5. The November*

1, 1996 regional memo defining NEPA decisions as implementation and the November 4, 1996 memo which excluded 89% of the range of the red tree vole from surveys constitute significant changes to the proposed action in the Northwest Forest Plan ROD and must be addressed in a supplemental EIS. Supplemental EIS is also needed because of new information and changed circumstances arising since the ROD was approved in April 1994, e.g. listing of several salmonids and other species under the ESA, newly identified water-quality limited streams listed on the 303(d) list, the rediscovery of lynx in the Oregon Cascades, etc.

BLM Response: This comment is outside the scope of the proposed action. Also, see Chapter 3 of the EA for a discussion of the surveys completed to protocol, as well as anticipated effects to species of concern and water quality.

comment vv: *Owl Critical Habitat. If this activity occurs in a proposed Critical Habitat Unit for the northern spotted owl, a "functionality analysis" should be conducted to determine the current effectiveness of nearby LSRs and dispersal between them. The U.S. Fish & Wildlife Service must be formally consulted in the event that any sale units are within proposed critical habitat.*

BLM Response: Critical habitat for the spotted owl has been designated for many years and this project is not in critical habitat.

comment ww: *Where any spotted owl habitat exists in the planning area, the EA/EIS should document the Regional protocols employed in determining the presence of owls. Owls should be "hooted" for six times before their presence can be ruled out.*

BLM Response: The BLM is under no obligation to survey for spotted owls. In accordance with regulations pursuant to Section 7 of the Endangered Species Act, formal consultation with the U.S. Fish and Wildlife Service (USFWS) will be requested to address the potential impacts of the proposed Plentywater project upon the spotted owl. Also see Appendix 10, "Biological Evaluation for Wildlife Resources."

comment xx: *Pacific Yew. Because of the medical and scientific significance of the Pacific Yew (Taxus brevifolia), and the fact that many compounds in the yew tree have not yet been adequately studied, the EA/EIS should disclose whether yew trees occur in the project area with a detailed yew inventory done according to the Pacific Yew Act (Public Law 102-335, 1992). If yew is found, protect them from being damaged in the harvest operation or adversely affected by the removal of canopy and prevent yew from being culled out as slash. Avoid broadcast burning where yew are present. Since the LSRs may not protect all the genetic variability within the yew population, you should establish genetic reserves for yew as described in the Interim Guide.*

BLM Response: The Pacific Yew Act (Public Law 102-335, 1992) is no longer in effect. Therefore, surveys for Yew are no longer necessary. However, the Plentywater Creek Project, which is located in the Matrix and Riparian Reserve LUA does not include intended harvest of

Pacific Yew trees.

comment yy: *Other old-growth species. The EA/EIS should detail the specific effects this project will have on old-growth species other than the Northern Spotted Owl. This should include an analysis of effects on such species as the Pine Marten, California Wolverine, Canada Lynx, Northern Flying Squirrel, Western Spotted Tree Frog, Red Tree Vole, Vaux's Swift, Oregon Slender Salamander, and other species listed in FEMAT and Option 9. Because Black Bear is dependent on old-growth for hibernation sites, old-growth bear habitat should also be identified and protected.*

BLM Response: This project is not occurring in old-growth forest. Refer to Chapter 3 of the EA for an analysis of species that are considered to be sensitive according to the BLM's 6840 Policy species, Northwest Forest Plan species, and species listed under the Endangered Species Act.

comment zz: *Aquatic species. Fish (including salmon), amphibians, mollusks, crustaceans, and arthropods, require special consideration, because aquatic habitat is important for water quality and species conservation. Many of these species will be adversely affected by logging, mining, and roads, and OHVs, so these activities should be avoided.*

BLM Response: The proposed action includes design features that minimize or eliminate adverse impacts to aquatic and riparian-dependent species, including fish, amphibians, mollusks, crustaceans, and arthropods. Riparian Reserves have been identified for all streams and only activities that do not impact or that help attain ACS objectives would occur within them (see Appendix 9 and 11 of the EA). Some road construction is proposed, as is road decommissioning, which will result in a net decrease of road mileage within the watershed. No-cut buffers have been identified for all streams to further reduce potential for adverse impacts. The NFP and the Salem District RMP allow logging and road building as long as the applicable Standards and Guidelines are followed.

comment aaa: *A Habitat Effectiveness Index analysis should be performed to provide information on how this sale will impact big-game habitat and maintain well distributed viable populations of big-game species. In addition to the HEI, an analysis of big-game travel corridors, water availability, and fawning and calving habitat should be prepared or incorporated into the HEI analysis. Off road vehicle use, including snowmobile use, should be taken into account in any HEI analysis. Roads that are officially designated as closed, but in reality are being used*
due to ineffective closures, must be counted as open roads.

BLM Response: Refer to Chapter 3 of the EA which contains an appropriate level of analysis for those species that are considered to be sensitive by agency resource specialists. Big game species, including bears are common to a point of potentially being pests in some areas of Northwest Oregon.

comment bbb: *Road density during timber sales often goes up before going down when roads*

are closed after the sale. The agency must document the effects to big game of this increased road
density, which can last for years before roads are finally closed.

BLM Response: The proposed action results in a net decrease of approximately 5,700 feet of road. The affects of this action are addressed in Chapter 3 of the EA.

comment ccc: *We request that the district prepare an analysis of the impacts of this sale on all animal travel corridors located within and between this planning area and adjacent planning areas. The analysis should include the location and description of the corridor and the species which use it.*

BLM Response: The varying life histories and habitat preferences of different species result in the utilization of a range of travel corridors with different characteristics. Within the affected landscape, the analysis you suggested would be very involved and of limited value. The IDT determined that the impacts of the proposed action were well within the scope of those resulting from projects analyzed within the Salem District FEIS, as they relate to habitats for the species discussed within Appendix 10, "Biological Evaluation for Wildlife Resources" as well as Priority Species as discussed on pages 4-31 to 4-38 of the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl.

comment ddd: *Silviculture and salvage in riparian reserves. Timber harvest is prohibited in riparian reserves. (TM-1 NFP ROD page C-31). Silviculture or salvage are allowed in riparian reserves ONLY if "needed" or "required" to attain aquatic conservation strategy objectives. (TM-1(a) and (c) NFP ROD page C-31-32). Too often activities are proposed in riparian reserve in order to "accelerate" attainment of aquatic conservation strategy objectives, but this is still a speculative science, so the NFP ROD mandates a very conservative approach for now.*

comment eee: *part 2: In order to comply with this standard, project planners should first determine if the affected riparian areas already meet ACS objectives. If so, no silviculture or salvage is allowed. If affected riparian areas do not presently attain ACS objectives, project planners must determine if the affected riparian areas will ever attain ACS objectives without intervention. If so, no silviculture or salvage is allowed. Just like the standards say, silviculture is allowed only if "needed" to attain ACS objectives.*

BLM Response to comments ddd and eee: Treatment of some of the outer portions of the Riparian Reserves are proposed for the following reasons: 1/ Maintain or increase the growth rates, vigor and crown development of many of the reserve (residual) trees, thus speeding up the general stand development process and providing larger trees for eventual recruitment of large wood into the riparian area and potentially into the stream itself; 2/ Provide improved growing conditions for any conifer regeneration present in the understory, and the development or stimulation of vigorous shrub and herbaceous understory layers; 3/ Increase the wind-firmness of the reserve trees within the outer portion of the Riparian Reserves. This will help provide long-

term protection for species and communities associated with the riparian zone; 4/ Treatment of the outer portion of some of the Riparian Reserves would add to the long-term diversity of stand characteristics throughout the Riparian Reserves and across the general project area; 5/ Density management of some of the outer portions of the Riparian Reserves and leaving the portions in the "no-treatment" buffers untreated will increase the level of structural complexity within the Reserves and would be consistent with the objectives of the Aquatic Conservation Strategy contained in the Standards and Guidelines of the Northwest Forest Plan (USDA Forest Service and USDI Bureau of Land Management 1994); and 6/ Treatment as proposed within the Riparian Reserves would help to maintain and restore the distribution, diversity, and complexity of the forest types within the watershed while ensuring protection of the aquatic systems; the species composition and structural diversity of plant communities within the Reserves; and a future supply of larger-sized trees, which could become longer-lasting coarse woody debris.

comment fff: *Hydrology and Cumulative Effects. The agency should prepare a cumulative effects analysis of logging on the hydrology of the entire watershed affected by the current sale. A model which predicts sedimentation from road and harvest activities--similar to the one used in Region 5--should be used in addition to the Aggregate Recovery Percent (ARP), Threshold of Concern, or Equivalent Harvest Acres (EHA) analysis.*

BLM Response: An appropriate level of analysis was conducted by an agency resource specialist for cumulative effects on the hydrology of the watershed affected by the proposed action. This analysis is contained in section 3.2 of the EA.

comment ggg: *Streams which are used by resident, anadromous, or non-game fish at any time must be buffered as "fish-bearing" regardless of whether streamflow is perennial or intermittent.*

BLM Response: Streams within the Plentywater project area were surveyed for fish presence according to ODFW presence/absence survey protocols. A stream is considered fish-bearing if it has *any* species of fish present, and is buffered as such regardless of whether streamflow is perennial or intermittent.

comment hhh: *Pay particular attention to the two main purposes of large buffers on intermittent streams: (1) to provide dispersal for Northern spotted owls, and (2) recognizing that small headwaters contribute a large amount of woody material to streams through debris flows and similar processes, to provide unmanaged areas where trees can grow large and become wood rich*
sources of material to contribute to stream function and aquatic habitat further downstream.

BLM Response: Appropriate buffers would be maintained on intermittent streams as designated by the Salem RMP.

comment iii: *Decreasing Riparian Reserve widths on permanently flowing streams (fish-bearing and nonfish-bearing) in most if not all cases will be inappropriate. As stated in*

the ROD:

"Post-watershed analysis Riparian Reserve boundaries for permanently flowing streams should approximate the boundaries prescribed in these standards and guidelines." (NFP ROD at B-13). Any departure from the above direction must be thoroughly explained and justified with scientific proof and reasoning for the proposed change. The project decision document should also clearly indicate whether interim riparian buffers are being reduced or expanded and include a map of riparian buffers as used in project planning.

BLM Response: Comment not applicable. The RR width for this project has not been reduced below those identified in the Northwest Forest Plan.

comment jjj: *Unstable and potentially unstable areas must be included in riparian reserves no matter how far they are from streams because when they fail they almost always interact with the stream system. Steep slopes and areas with shallow soils as well as a site potential tree height buffer around these areas must be included in the designated riparian reserve.*

BLM Response: As described on page 10 of the Salem District RMP, Riparian Reserves would include at least the minimum of the site-specific characteristics. This includes setbacks for unstable and potentially unstable ground, inner gorges, as well as site potential tree buffers.

comment kkk: *The agency should measure riparian reserves using horizontal distances (to factor in steepness of slope).*

BLM Response: During the layout phase of a timber sale, RR widths are typically marked on-the-ground using slope distance.

comment lll: *Maintain and restore. The goal of the aquatic conservation strategy is to "maintain and restore" aquatic functions and processes in order to meet the ACS objectives. Project analysis should discuss each of the nine Aquatic Conservation Strategy objectives separately and how the proposes alternatives will impact these objectives.*

BLM Response: The impacts of all the proposed alternatives on the ACS objectives can be found in Appendix 9 and 11 of the EA.

comment mmm: *The meaning of the phrases "does not retard or prevent attainment of Aquatic Conservation Strategy objectives" and "attain Aquatic Conservation Strategy objectives," are explained:*

Complying with the Aquatic Conservation Strategy objectives means that an agency must manage the riparian-dependent resources to maintain the existing condition or implement actions to restore conditions. The baseline from which to assess maintaining or restoring the condition is developed through a watershed analysis. Improvement relates to restoring biological and physical processes within their ranges of natural variability ... In order to make

the finding that a project or management action "meets" or "does not prevent attainment" ... the analysis must include a description of the existing condition, a description of the range of natural variability of the important physical and biological components of a given watershed, and how the proposed project or management action maintains the existing condition or moves it within the range of natural variability. Management actions that do not maintain the existing condition or lead to improved conditions in the long term would not >meet= the intent of the Aquatic Conservation Strategy and thus, should not be implemented. (NFP ROD at B-10).

BLM Response: Watershed analyses have been completed for the project area and the EA contains an analysis of the anticipated effects on ACS objectives.

comment nnn: *Watershed analyses. Since watershed analyses are large cumbersome documents that are not being readily distributed to the public and since they are interactive documents that are prone to change, project planners should incorporate relevant portions of watershed analyses in the EA/EIS itself. They should also be put on the world wide web to facilitate public review.*

BLM Response: The Diary-McKay Watershed Analysis is located in the Tillamook Field Office and will be available on the web, as soon as the current court order regarding BLM use of the internet is lifted, on the Salem District web page at:
http://www.or.blm.gov/salem/html/planning/plan10.htm

comment ooo: *Water Quality. The agency should confer with the Oregon Department of Environmental Quality to determine whether the watershed in the project area is being polluted by non-point sources. The EA/EIS should disclose the problems associated with any streams on the 303(d) list that are located downstream from the proposed activity. If streams are polluted, harvest should be deferred until sources of pollution are identified and curtailed or an adequate and enforceable TMDL is in place.*

BLM Response: Refer to chapter 3 “Affected Environment and Environmental Consequences” for a discussion of this projects effects on water quality.

comment ppp: *The BLM should quantitatively estimate for each alternative, the amount of soil that would be displaced as a result of logging activities. Likewise, the BLM should estimate the reduction or increase in surface and subsurface water flow which will result from activities in the sale area. Risks of erosion and mass soil movement s must be considered as they relate to long-term soil productivity, regeneration and off-site impacts.*

BLM Response: For a discussion of the impacts of the proposed project on Soils, please see EA Chapter 3 “Affected Environment and Environmental Consequences.”

comment qqq: *All existing and proposed Federal Wild and Scenic Rivers must be protected from cutting units by at least a one-quarter mile buffer on each side of the stream.*

BLM Response: This comment does not apply to this project. There are no Wild and Scenic rivers in the project area.

comment rrr: *All existing trails should be protected from cutting units by at least a one-quarter mile buffer on each side of the trail.*

BLM Response: This comment does not apply to this project as there are no designated trails located in the project area.

comment sss: *The BLM should determine what effects this timber sale will have on sedimentation of reservoirs in the area including impacts on recreation, flood control, and hydroelectric production.*

BLM Response: The project area does not contain hydroelectric or flood control structures. For a description of the beneficial uses of water in the project area please see EA Appendix 7. For an analysis of the effects of the proposed project on the water resource please see EA Chapter 3 "Affected Environment and Environmental Consequences."

comment ttt: *Do not average site potential trees across the landscape. Site potential is site specific to the riparian location. If site conditions vary between riparian and upland sites in the watershed and the sites are averaged over the landscape the riparian reserves will obviously get short-changed. Riparian sites are almost always more productive. Site potential trees in habitat for Late-Successional and Old-Growth forest related species within the range of the Northern Spotted Owl can grow to more than 250 feet in height.*

BLM Response: Refer to EA Appendix 1 "Silvicultural Prescription" for a discussion of site potential tree.

comment uuu: *Wetlands less than one acre are frequently given riparian reserves less than one site potential tree but the species assessment teams that determined the viability of species associated with old-growth within the range of the owl were told that these small water features would get a site potential tree height buffer. The agencies are supposed to protect small wetlands with a buffer equal to the height of one site potential tree. The SAT report says so. The USFWS Biological Opinion on Option 9 says so. PACFISH gives small wetlands a half site-potential tree height buffer. It's just that the ROD was poorly punctuated and the IRT/REO word-wizards exploited the ambiguity to reduce the buffers from the site tree to just the extent of the riparian vegetation. Their excuse was that trees around wetlands aren't needed for stream structure, but they are ignoring that the full-SAT stream buffers were established for purposes of both aquatic habitat and terrestrial species dispersal. Amphibians would clearly benefit from micro-climate control provided by buffers on small fishless wetlands.*

BLM Response: Comment not applicable. The watershed analysis did not change the RR widths for wetlands less than one acre. As such, the IDT will comply with the management direction contained on page 10 of the Salem District RMP (Resource Management Plan) which calls for a

one site potential tree, or 100-feet slope distance, whichever is greatest.

comment vvv: *If changes in riparian reserves are being considered, the changes "must be based on scientifically sound reasoning, and be fully justified and documented." (NFP ROD at B-16). If any riparian reserves are to be reduced below the interim riparian reserve widths recommended in the NFP ROD, be sure to fully consider both the ACS objectives AND the dispersal needs of terrestrial species.*

BLM Response: Comment not applicable. The RR width for this project has not been reduced below those identified in the Northwest Forest Plan.

comment www: *... any analysis of Riparian Reserve widths must also consider the contribution of these reserves to other, including terrestrial, species. Watershed analysis should take into account all species that were intended to be benefited (sic) by the prescribed Riparian Reserve widths. Those species include fish, mollusks, amphibians, lichens, fungi, bryophytes, vascular plants, American marten, red tree voles, bats, marbled murrelets, and northern spotted owls. (Option 9 S&Gs at D-10).*

BLM Response: Please see BLM Response to Project Record document 47, comment vvv. Please see EA Appendix10, "Biological Evaluation for Wildlife Resources" for a discussion of the effects of the project on wildlife species of concern including S&M species.

comment xxx: *The project decision document should clearly indicate whether interim riparian reserves are being reduced or expanded and include a map of riparian reserves as used in project planning.*

BLM Response: Comment not applicable. The RR width for this project has not been reduced below or expanded beyond those identified in the Northwest Forest Plan. A map of the RR used for project planning is contained in the project record and available for inspection upon request.

comment yyy: *The agency should prepare an economic analysis of amenity values such as hunting, fishing, wild mushroom foraging, and visual quality and an economic analysis of impacts on non-amenity values such as soil erosion. A model for this type of analysis can be found in Wallowa-Whitman's Monument Rock Incident Rehabilitation economic analysis. Losses of recreation revenues due to clearcutting need to be accounted for in the analysis.*

BLM Response: There is no procedural requirement to conduct an economic analysis, nor is such an analysis warranted as the site specific action is consistent with the RMP which an economic analysis was already conducted for.

comment zzz: *The economic analysis should include documentation of the costs of mitigation measures, post-sale activities such as road closures, and KV projects associated with the sale. These important activities must be economically assured. If funds are not available the timber sale activities cannot take place. Funding must be assured in the economic analysis.*

BLM Response: "KV project" is a US Forest Service term, not a BLM term. Mitigating measures will be paid for by the timber sale, so funding in not an issue. See BLM Response to Project Record Document 47 comment yyy.

comment aaaa: *Planners must not use mitigation or any planned restoration activity as a substitute for preventing habitat degradation. Many environmental impacts cannot be adequately mitigated. Destroying old-growth is essentially an irreversible process in our lifetimes. Soil compaction cannot be adequately mitigated. The loss of biodiversity is often difficult to recover,*
especially the biodiversity of soil microorganisms and fungi.

BLM Response: The use of mitigation measures to improve a project is appropriate and consistent with Council on Environmental Quality regulations for implementing the procedural provisions of NEPA. There is no old-growth involved with the proposed Plentywater Creek Project. Soil compaction is not anticipated to exceed 10% of the project area, which is consistent with the RMP. "Biodiversity" is a very nebulous term. However, diversity in terms of the numbers of species of plants and animals have been shown to increase following timber harvest activities.

comment bbbb: *ONRC urges planners to avoid planning timber sales as a way to fund restoration of problems caused by past management activities. We find it difficult to tolerate the cycle of destruction and restoration, and more destruction to fund restoration, that we've seen sometimes.*

BLM Response: The Plentywater Project does not use timber sale revenue to fund non-timber sale related projects.

comment cccc: *Projects must be carefully analyzed and different aspects not lumped together for purposes of analysis. If a project with both negative and positive impacts is approved, it is possible that only the negative impacts are implemented (e.g., timber harvest implemented but prescribed burning not implemented).*

BLM Response: The Plentywater Creek Project is comprised of a whole suite of different activities. Our IDT analysis however has analyzed each type of project independently to ensure that the positive as well as any potential negative aspects are identified. For the complete analysis please see EA chapter 3.

comment dddd: *We request that the EA/EIS provide evidence that regeneration in the project area will actually succeed within five years. This should include references to previous attempt at regeneration in nearby areas with similar site characteristics.*

BLM Response: The BLM and private landowners have successfully reforested literally thousands of acres in the vicinity of the Plentywater Creek project. The proposed regeneration

units do not pose any unusual problems. Therefore, successful reforestation is anticipated within five years.

comment eeee: *The NFP ROD provided mitigation for species that were predicted to not do well under the approach adopted in Option 9. Most of these species had poor dispersal capabilities. The main mitigations provided were: increasing the riparian reserve widths on intermittent streams, providing retention of 15 percent of fifth field watersheds and regeneration harvest units, and adoption of the "survey and manage" strategy. ONRC is concerned that all three of these mitigations are being implemented incorrectly.*

BLM Response: The Plentywater Creek Project is maintaining the full riparian buffers specified in the Salem RMP, which are consistent with the NFP. In addition, the Salem District 15% analysis has been completed and no treatments are being considered for deferred stands.

comment ffff: *Riparian reserves on intermittent streams are being inappropriately reduced without consideration of the needs of upland species' dispersal needs.*

BLM Response: Comment not applicable. As previously stated, the RR width for this project has not been reduced below those identified in the Northwest Forest Plan.

comment gggg: *The definition of "late-successional" forest to be protected in fifth field watersheds is being interpreted so loosely that 80 year old stands are being retained to meet the 15 percent retention requirement while 250+ year old stands are being regenerated.*

BLM Response: The 15% retention requirement is intended to defer harvest of isolated patches of late-successional forest at the 5th field watershed scale until the late-successional function can be met by other stands in the watershed. The NFP states (S&G C-44) that "Landscapes where little late-successional forest persists should be managed to retain late-successional patches." and continues that "Protection of these stands could be modified in the future, when other portions of the watershed have recovered to the point where they could replace the ecological roles of these stands." The Plentywater Creek Project area does not contain any late-successional forest. A 15% analysis was completed and sufficient stands were selected in the watershed to fill the late-successional forest ecological role in the future. The Plentywater Creek Project does not include treatment of any of the stands deferred under the 15% Standards & Guidelines.

comment hhhh: *The 15 percent to be retained with harvest units is being selected primarily based upon operational ease rather than the "largest, oldest live trees, decadent or leaning trees, and hard snags occurring in the unit" as required by the NFP ROD page C-41, C-42.*

BLM Response: Comment not applicable. Your reference to the 15 percent retention Standard and Guideline on pages C-41 and C-42, measures B and C, of the NFP relates specifically to Forest Service administered land, not BLM.

comment iiii: *The agencies are double-counting their reserves. Green Tree Reserves are*

supposed to be chosen based on the "largest, oldest" trees and snags with the most decadence and broken tops, etc. Other resources that may need to be buffered (such a survey and manage species) need additional reserve areas established according on their presence and location within or near harvest units.

BLM Response: Regarding the application of green tree reserves based on the largest, oldest live trees and snags refer to BLM Response to Document 24 comment o. The IDT is unaware of the existence of management direction in the NFP that precludes the overlapping of reserves or buffers which you refer to as “double-counting.”

comment jjjj: *As confirmed by Judge Dwyer's August 2, 1999 decision in ONRC Action v. USFS, implementation of "survey and manage" strategy 2 (described on page C-5 of the ROD) is being delayed years beyond the generous phase-in period allowed under the ROD. Tens of thousands of acres of late successional forests are being cut without surveys or buffers for species listed on table C-3 of the ROD. The EA/FONSI/DN prepared to delay surveys for 32 survey and manage and protection buffer species is invalid because it fails to fulfill NEPA requirements. Illegal regional direction has excluded 89% of the range of the red tree vole from surveys that the ROD requires.*

BLM Response: The comment is outside the scope of the project. Also, see BLM Response to Project Record Document 47 comment b.

comment kkkk: *Bats are also not being surveyed for in planning areas as required in the NFP ROD. According to the ROD all voids and recesses in the earth large enough to fit a human must be surveyed for the presence of bats during the day in the summer, at night during the late summer and fall, and during the day in the winter. See ROD page C-43. The agencies first task is to search for all the "caves" that fit that broad definition and then search for bats during all appropriate seasons. Green tree and snag retention in the Matrix must also be adjusted to account for the needs of bats. See ROD page C-42.*

BLM Response: There are no known bat roosting or hibernaculum sites within the project area. Surveys for bat species are required under the NFP if caves, mines, or abandoned wooded bridges and buildings are within or near the project area. There are no known caves, mines, or abandoned wooded bridges within or near the project area, and all of the known buildings near the area are located on private land where the BLM has no authority; no bat surveys will be conducted within or near the Plentywater Creek project area. Also see Appendix 10, "Biological Evaluation for Wildlife Resources."

comment llll: *It is very important that these mitigations be fully implemented in order to ensure the viability of the species analyzed by the species assessment teams (described in Appendix J-2 of the FEIS). If these mitigations are not fully implemented then the viability assessments are invalidated and the whole FEMAT process becomes vulnerable to legal attack. "If the plan as implemented is to remain lawful, the monitoring, watershed analysis, and mitigation steps called for by the ROD will have to be faithfully carried out." 12/94 Dwyer Opinion at page 60.*

BLM Response: See BLM Response to Project Record Document 47 comments eeee - kkkk.

comment mmmm: *Cultural Resources. A complete and thorough cultural resources survey must be competed before the EA/EIS is signed to comply with the NEPA Additionally, there must be SHPO concurrence before a decision is signed. Soil "mitigation" in the form of ripping and tilling will cause unacceptable impacts on cultural resources. The best course is to just avoid causing such soil impacts in the first place.*

BLM Response: The project area was surveyed to protocol and no cultural resources were found. See Appendix 3 of the EA.

comment nnnn: *Pollution. If slash burning is planned, the EA/EIS should include a discussion of how emissions will be minimized to comply with the State Implementation Plan, how long-term site productivity will be impacted by reduced nutrient cycling, how erosion may be increased due to removal of downed woody material and how wildlife diversity will be reduced.*

BLM Response: Slash burning would be conducted in compliance with Oregon State smoke management requirements. Please see Chapter 3 of the EA for an analysis of the effects of slash burning on soil, water and wildlife resources.

comment oooo: *Migratory Birds. The agency must discuss how its management actions will impact the decline of neotropical migrant bird species. A report by Brian E. Sharp, "Neotropical Migrants On National Forests In The Pacific Northwest," July, 1992 reports 16 neotropical migrant species on national forests have "declined significantly between 1968 and 1990". The agency must address this information and analyze how any given sale will affect these bird species. Harvest activities must not be planned during the nesting season of migratory birds. To conduct harvest operations that will certainly lead to the deaths of some migratory birds would be a violation of the Migratory Bird Treaty Act, which prohibits the unpermitted "taking" of birds covered by the treaty.*

BLM Response: There are many differing reports on population trends of neotropical migrants, along with many different opinions as to the causes and seriousness of those trends. For example many authors point to the loss of wintering habitat, or problems along migratory corridors, or urbanization as a major cause of changes in population levels of some species. Without being familiar with Mr. Sharp's report, an assumption would have to be made based on the time period of the reported decline that the report may be implicating clearcut harvesting and forest fragmentation as causes of the reported decline. The period from 1968 to 1990 was the period of greatest harvest from the National Forests in the Pacific Northwest. The Northwest Forest Plan is intended to be an answer to the somewhat single-mindedness of Federal forest management of years past. As such management of much of the forest to restore natural processes is the best we can do to try to reverse species declines caused by past forest management in the Pacific Northwest.

The IDT determined that the impacts of the proposed action are within the scope of those identified within the Salem District FEIS. Impacts to Dominat Woodpeckers, Accipiter Hawks, Golden Eagle, Great Blue Heron, Neotropical Migrant Birds and Osprey and Upland Game Birds are discussed on pages 4-33 to 4-38 of the FEIS, where it states that implementation of the RMP in the short and long term, would generally benefit those migrant birds discussed. Appendix 10 "Biological Evaluation for Wildlife Resources," addresses those migratory birds with such a status as to warrant analysis.

The US Fish and Wildlife Service is responsible for enforcement of the Migratory Bird Treaty Act. The BLM will be working with the Service in developing a Memorandum of Understanding to assure compliance with the January 11, 2001 Executive Order 13186 which pertains to the Responsibilities of Federal Agencies to Protect Migratory Birds.

comment pppp: *ONRC also sent a scoping letter specific to lynx concerns dated January 11, 2000. We incorporate that letter here by reference.*

BLM Response: The Plentywater project area is not within the known range for the lynx.

Project record document 52: Robert Freres Jr. wrote (received) July 31, 2000):

comment a: A*Freres Lumber Company Inc. supports the proposed McDairy Berger Project with the exception of decommissioning and obliteration of 6000 feet of existing road. This road is a valuable public asset which should be preserved and maintained.*@

BLM Response: Please note that the "McDairy Berger Project" was renamed "Plentywater Creek Project." The roads that we have proposed for decommissioning are no longer needed for management of these lands, and as such, their loss will not affect potential future management actions. Please see EA (Environmental Assessment) Chapter 2 for a complete description of the proposed project.

Project record document 53: Wendy Mortensen wrote on July 30, 2000:

comment a: "*The land north of Area 21 bordering both sides of Solberger Road is zoned exclusive farm use and currently supports a commercial vineyard and Christmas tree plantation.*@

BLM response: The Northwest Forest Plan (NWFP) and Salem District Resource Management Plan (RMP) classify the BLM lands in Section 21, T2N R2W W.M. as Matrix/General Forest Management Area. These lands support manageable forest lands with an objective of "Producing a sustainable supply of timber and other forest commodities to provide jobs and contribute to community stability." Please see EA Chapter 1 for a complete list of the management objectives for Matrix/GFMA lands.

comment b: "*Past activities in Area 21 have impacted our ability to manage our farms because of the time spent patrolling your property. We request that any activity in Area 21 consider the impacts to the continued viability of farm zoned land in Washington County*"

BLM response: We appreciate your concerns for Public lands. However, it is neither requested nor required for private citizens to "patrol" BLM administered lands. These lands are public property and are open for public use. If you were to inadvertently disturb someone committing

illegal activity during one of your "patrols," you could suffer personal harm for which the Government would not be liable. In addition, if your concern was perceived by the public as harassment, you could be held criminally liable.

To protect against illegal activity on Public lands, the Tillamook Field Office successfully acquired a BLM Law Enforcement Ranger in 1995. Our Law Enforcement Ranger regularly patrols all BLM administered lands, including the lands in your area. We have found that our law enforcement presence reduces illegal activity on public lands. We remind you however that BLM manages Public Land and that it is not our intent to prevent the American public from enjoying outdoor recreation on their lands.

Forest Management activities that are conducted on BLM lands are directed by and consistent with the Northwest Forest Plan and Salem District Resource Management Plan and all applicable BMP**-**S (Best Management Practices), laws and regulations.

comment c: *"Because your office is located in Tillamook, you may not be aware of the difficulties operating so close to a large metropolitan area*."

BLM response: We are well aware of the difficulties of managing the Public lands in your area. To that end, our Law Enforcement Ranger regularly patrols the lands in your area.

comment d: *"Specifically, we request the following and have received communications from your office that you will comply:*"

BLM response: On March 17, 1997, the Tillamook Field Manager sent you a letter informing you that a future forest management activity was being considered in this area. This letter simply stated that a forest management activity was being planned in the area and that when a proposal was developed you would have a chance to influence the project design. Our scoping letter, mailed on July 26, 2000, was the notification that a proposal had been made.

These "communications" made no commitments other than that you would have a chance to influence the project design as described by NEPA (National Environmental Policy Act).

We received your comment letter on August 3, 2000. Thank you for your participation in the management of your public lands.

comment e: *"Area 21 will be harvested in such a way to insure that dumping, shooting where workers in adjacent fields can be injured, overnight parking, and general mischief does not occur during or after any land activity pursued by your office in Area 21. We believe the best way to do this is remove trees internally in the site not along the public access roads, then passersby will not know the site has been logged. No new access roads should be created. It was only after your former logging road was barricaded with large rocks and vegetation covered the road that most of the mischief lessened*."

BLM response: The Proposed Action (Alternative 2) has been modified to incorporate a visual buffer where Solberger Road passes through Unit 21-2. The Proposed Action also contains provisions to obliterate and block roads and skid trails as appropriate. In addition, the IDT (Interdisciplinary Team) developed another alternative (Alternative 4) which dropped the entire Rural Interface area (including T. 2N., R. 2W. Section 21 W.M.) from consideration for treatment at this time, in order to better address your concerns

comment f: "*We also support the letter by the NW Helvetia Association that gravel roads be oiled to minimize dust and Local Improvement Districts be compensated for road damage.*"

BLM Response: The BLM is prohibited by law to expend appropriated funds for the maintenance of County roads.

comment g: "*We agree that BLM should mitigate the current Scotch Broom infestation before initiating new land activities.*"

BLM Response: Your concurrence with this component of the proposed action is noted. See chapter 2 of the EA for design features.

comment h: "*We would like to see the copy of the timber sale layout and harvest plans to insure our concerns are addressed. We will review the copies sent to the NW Helvetia Association.*"

BLM Response: Our environmental analysis process, which includes your public comments, will fully develop all of the project features. These features will be specified in the final environmental analysis document (EA). Since you have taken the time to participate in public scoping, you will receive a copy of the completed EA which you may review to ensure your concerns are met. You will also have an opportunity to make further comments at that time.

Should subsequent Forest Management activities occur, copies of the Timber Sale contracts would be on file in our office for your review.

Project record document number 54: Wendy Mortensen wrote, for the NW Helvitia Association, on July 30, 2000:

comment a: "*First of all, your July 26 letter is addressed to ›Public Land User.: Association members do not use the McDairy Berger Project Property. Our fear is that your action will again create a public use of our private property to the detriment of commercial farming in the area.*"

BLM Response: We are sorry if we offended anyone. We find it unfortunate that persons

living so close to public lands do not enjoy using those lands.

It is not clear how the presence of public lands, or public land management, is responsible for unauthorized use of private lands in the area. We would also like to point out that the private lands in this area are easily accessed by county roads.

comment b: *"Our association has a long history with your office trying to solve problems created by the Bureau=s logging operation on Solberger and Pederson roads about 10 years ago. (Hereafter we will refer to our area of concern as Area 21, based on your Figure 3 map.) Based on representations from your office, we will rely on the following agreements regarding the current McDairy Berger Project for Area 21:"*

BLM Response: Our records indicate that there was verbal (Project Record Document 1) and written (Project Record Documents 6 and 60) correspondence between the BLM and the NW Helvitia Association. We are unaware of any agreements between the BLM and this association.

comment c: *"Harvest will be selective thinning, not clear cut."*

BLM Response: Our records indicate that the BLM corresponded with the NW Helvitia Association on May 18, 1998 (Project Record Document 6). In that correspondence we stated that "Commercial thinning is the primary option being addressed at this time." The letter goes on to state that Ano definite plans for a sale in this area have been completed@ and that stand exams were being conducted to "determine timber composition and stocking levels."

Based on the information from those stand exams the proposed treatment for Section 21 is a regeneration harvest. The existing low stocking level of conifers in this timber stand does not make a thinning treatment possible. The current situation with low conifer stocking and higher than desired hardwood stocking levels has resulted in this area producing far less timber yields than it is capable of. In order to meet the objectives of the Salem District Resource Management Plan, the current proposal would be to harvest the majority of the trees on this site, and leave an average of 6 to 8 of the largest conifers per acre. The area would then be planted with a mixture of conifer species. This "regenerated" stand would then be managed to be dominated by the planted conifers, thus attempting to maximize future timber yields.

comment d: *"Solberger is a heavily traveled road registering up to 200 average daily trips. Therefore, a buffer of evergreen trees will be left along Solberger; ESPECIALLY WHEN ACCESS IS AT GRADE, so passersby cannot tell the property has been logged. This will help to prevent past problems of fire danger, shooting, dumping, overnight parking, and general mischief."*

BLM Response: We are aware of the problems that occurred in the early 1980's following the "Jarrell Road" timber sale. The Plentywater Creek Project (Formerly McDairy Berger) has design features which are intended to prevent many of these problems. As previously stated, these

features (eg. visual buffer, obliteration of skid trails and temporary roads), have been part of the project design from its inception.

In addition, in 1995 the Tillamook Field Office successfully acquired a BLM Law Enforcement Ranger. Our Law Enforcement Ranger regularly patrols all BLM lands, including the Public Lands comprising the Plentywater Creek Project area. Our law enforcement presence reduces illegal activity on public lands, but it is not our intent to prevent the American public from enjoying outdoor recreation, such as camping and target shooting, on their lands. Also, see BLM response to Project Record document 53 comment e.

comment e: *"A barrier will also be left where vehicles may enter adjoining private property."*

BLM Response: As previously stated, skid trails and temporary roads are currently proposed for obliteration prior to contract termination. This obliteration will prevent use of these roads by the law abiding public. If an unauthorized use occurs, our Law Enforcement Ranger will handle the situation.

comment f: *"The preferred method of harvest will be helicopter or horse logging that minimizes temporary roads and creates no new roads."*

BLM Response: Helicopter logging is not a feasible option in this area because of the proximity of residences and powerlines nor would it reduce the amount of roads. Public safety can not be compromised for this proposed project. Horse logging is technically feasible on this parcel and will receive consideration. It should be noted, however, that horse logging would still require basically the same amount of road construction as a mechanical ground based logging system to access landing areas where log trucks would be loaded. The only notable difference between the two systems is that skid trails would obviously be wider with tractors or skidders than with horses. Any new roads and skid trails would be temporary. After logging is completed, they would be made undriveable and their access would be blocked. Please see chapter 2 of the EA for a discussion of the range of alternatives considered in this environmental analysis process.

comment g: *"Any roads will be located away from the commercial farming activities on Solberger. Any road will be gated during and after logging. After harvest activities are complete, a barrier of rocks will be placed by any setback gate so illegal dumping will not reoccur at the site."*

BLM Response: The two temporary BLM roads that are to be used in T. 2N., R. 2W. Section 21 W.M. would be decommissioned at the end of the contract. Decommissioning would be accomplished by subsoiling and planting the compacted roadbed and blocking the road to prevent entry. Please see Chapter 2 of the EA for a description of the proposed action.

comment h: *"If Solberger, Pederson, or Moreland roads are used for hauling, dust oil will be applied to road segments or internal work sites within Area 21 where dust damages high value*

crops such as Christmas trees and grapes, or residences."

BLM Response: The BLM is prohibited by law to expend appropriated funds for the maintenance of County roads.

comment i: "*If Mason Hill or Dorland roads are used for hauling, the Local Improvement District, paid for by people living along those roads, will be compensated for any reconstruction needed as a result of hauling from Area 21.*"

BLM Response: See BLM Response to Project Record Document number 54 comment h.

comment j: "*No use of air brakes near residences.*"

BLM Response: This is a good suggestion. We have incorporated it into our project as a design feature. Please see Chapter 2 of the EA for a description of the proposed action.

comment k: "*Before the harvest plan in initiated, BLM will recognize and correct the serious infestation of Scotch Broom that has occurred as a results of opening the canopy during the last harvest of Area 21. Any new harvest plan will insure further infestation does not occur and spread to neighboring property or along road right-of-way.*"

BLM Response: Scotch broom would be treated under this action. Please see chapter 2 of the EA for a description of the proposed action and Chapter 3 of the EA for the predicted effects of the proposed action on this species.

comment l: "*1. In your July 26 letter is not specific to Area 21. Please define ›regeneration harvest.: Is Area 21 among the 80 acres to receive a regeneration harvest? We would like a copy of the timber sale layout before a harvest plan is completed. After that, we request a copy of the harvest plan to determine if our concerns are addressed.*"

BLM Response: Please see the glossary in the EA for a definition of Aregeneration harvest.@ The EA of which this Appendix is attached is the Aharvest plan@ for T. 2N., R. 2W. Section 21 W.M.. Timber sale layout will support this harvest plan.

comment m: A*2. Area 21 provides cover for migrating deer and elk herds. Storm runoff runs into Dairy Creek, a fish-bearing stream. How will these be mitigated?*@

BLM Response: Adequate cover for deer and elk are expected to remain post treatment.

The impacts of the proposed Plentywater Project on fish within Dairy Creek, including the federally listed Upper Willamette steelhead, are discussed within Chapter 3 of the EA.

For our analysis of the affects of the proposed action on wildlife species of concern and fish, see Chapter 3 of the EA.

comment n: A*3: Does Area 21 contain any threatened or endangered plants or animals?*@

BLM Response: Not that we are aware of. For our analysis of the affects of the proposed action on T&E plants and animals, see Chapter 3 of the EA.

Project record document 55: Don and Leatha Tyra wrote on August 2, 2000:

comment a: A*...Our main concern is water runoff. The rain plays havoc with the road* [BLM road number 2N-2-18] *condition. We repair it destroys...*@

BLM Response: We appreciate your concern. The BLM land adjacent to road 2N-2-18 is proposed for commercial thinning using ground based equipment. Contract stipulations will require the purchaser to maintain the road. Prior to contract termination, final maintenance will be required that will bring the road up to the standards specified in the contract.

To allow minimal interruption of your use of this road, we intend to include contract stipulations to keep the road open. However, be aware that this road will be used for logging access and brief delays may occur during harvest operations.

For a complete analysis of the affects of the proposed action on water resources, please see Chapter 3 of the EA.

Project record document 58: William and Julia Peterson, wrote on August 5, 2000:

comment a: A*1. Natural resource preservation of rare plant species. Specifically the Tall Bugbane. This plant has been tagged and monitored by the state botanist since 1992 (Larry Scofield, State Botanist). Logging would impact the exclusive habitat of this plant.*@

BLM Response: A 50 foot buffer will be placed around the Tall Bugbane *(Cimicifuga elata)* site. This should prevent any negative impact to this plant. Please see EA chapter 2 for a description of the Proposed Action and Alternatives. Alternative 4 (Rural Interface) which would defer treatment of the lands in your area was developed in response to your concern and would prevent any potential disturbance to the site. For a complete analysis of the predicted affects of the proposed action on vegetation, see Chapter 3 of the EA.

comment b: A*2. Scotch broom infestation in BLM area harvested northeast of our property. We do not want this infestation to spread to our property due to the opening of the forest canopy adjacent to our property.*@

BLM Response: Please see BLM response to project record document 54 comment k.

comment c: A*3. Erosion and run-off will create a problem with road condition, flooding, and water quality on our property. Road condition, erosion and potential flooding have been problems due to run-off from the BLM property since 1996.*@

BLM response: The BLM parcel is on a broad, gently undulating terrace sloping gently sloping downward onto your property. Your home and driveway are located in a swale, on mostly steeper sloping terrain. The BLM parcel is covered by a thick canopy of trees and shrubs. The soils are deep, well drained and relatively porous. Very little overland flow is usually seen on these soils due to their high infiltration rates and water holding capacities. When surface runoff does occur, it is usually associated with compacted surfaces (e.g., roads), swales, or margins along streams. This location was reviewed by our hydrology/soils specialist. Little compaction was noted outside of the two county roads (Soleberger and the Peterson) and the access road leading to the house. There were no visible signs of water concentration or water diversions (e.g., channels, scour, deposition, or wetland plant species) on the BLM property.

It is interesting that the Arun-off@ problems you reported occurred since 1996, a time of higher than normal rainfall and large intense storms for this area. We have no record of any timber sales on the BLM land adjacent to your property, and our records go back to the 1930s. The closest, documented timber sale, located east of Soleberger Road, was completed in 1983. The closest point of that sale to your property is at least 500 feet away. It is not reasonable, therefore, to expect the 1983 timber harvest had any affect on the Arun-off@ problem you have reported.

The Oregon Drainage Law states, in part: AA landowner may not divert water onto adjoining land that would not otherwise have flowed there@, and AThe upper landowner may not change the place where water flows onto the lower owner=s land@. Based on these facts as stated above it is reasonable to believe that there is no correlation between any human caused ground disturbance that may have occurred in the adjacent BLM property and the Arun-off@ problems you have reported. The most likely cause of excessive, unnatural run-off, as stated by the BLM soil scientist who visited the site in October 1999, is from the road leading to your house.

We can understand your concerns about potential water run-off problems from the proposed forest management action. However, as stated earlier, the adjacent BLM property to your property is on gentle slopes with porous soils and there are no streams in the area to transport flow and erosion. Potential for overland flow and erosion is low. Project design features and best management practices (BMPs) that would be implemented would reduce or eliminate the potential for soil disturbance and compaction and unnatural run-off. For specific design features, please see EA Chapter 2.

comment d: A*4. Select cut rather than a clear-cut harvest would minimize erosion and run-off.*@

BLM Response: A residual tree canopy following harvest will in most cases result in less erosion and run-off than in a clearcut harvest. Although the proposed treatment in Section 21 is a

regeneration cut, there would be some canopy cover remaining following harvest. An average of at least 6 to 8 of the largest conifers per acre would be left. These trees do not have to be distributed evenly over the area. Heavier concentrations of these leave trees could be situated in the area adjacent to the private property. Also, the potential risk of increased erosion and run-off following timber harvest would be greatest during the first year following harvest. After the first year, trees would be planted and other vegetation would seed in and sprout, resulting in a vegetative cover and a lessening of erosion and run-off potential on this relatively flat area. Also, see BLM Response to Project Record Document 54 comment c.

comment e: A*5. The Mason Hill Road property owners through a Local Improvement District (1993) improve Mason Hill Road from a gravel road to a surfaced road. Logging truck travel on this road will severely impact the road=s lifespan and create further expense to repair and resurface.@*

BLM Response: Please see BLM response to Project Record Document Number 54 comment h.

comment f: A*6. Increased vandalism and drug activity due to forested areas opened to public via logging roads. Logging roads into forested areas would provide access to otherwise inaccessible areas that would be difficult to monitor. The local police have been called on numerous occasions regarding unknown persons parking off road near our driveway. This summer a street sign across from our driveway was AGang Tagged@ with spray paint. In the past, Neighborhood watch signs were posted on sturdy poles along Mason Hill Road. Vandals have cut off these signs and the poles are all that remain. Summer of 1998, our rural mailbox mail was stolen. Subsequently, we have rented a PO Box at the North Plains Post office. Neighbors have installed security mailboxes. Mailbox vandalism is a common problem. Logging areas that are accessible to unknown persons and illicit activities encourage increased traffic that contributes to this sort of vandalism.@*

BLM Response: We are aware that illegal activities are alleged to have occurred on BLM administered lands following our AJarrell Road@ timber sale, which was completed in 1983. Since that time there have been significant changes in the drug policies of the United States Government. In addition, in 1995 the Tillamook Field Office successfully acquired full time law enforcement staff. Our Law Enforcement Ranger regularly patrols all BLM lands administered from the Tillamook Field Office to prevent illegal activities from occurring on Public Lands.

While you state many acts of vandalism, none of those acts appear to be the result of public land management. They appear to be related to the increased urbanization of a historically rural County, and as such would fall under the jurisdiction of the Law Enforcement Professionals of the Washington County Sheriffs Office.

If any local citizens observe illegal activity occurring on public lands, we urge you to contact BLM or the Law Enforcement Professionals of Washington County and report the incident as

soon as possible. At no time however should you make personal contact with persons committing illegal acts, it could place your safety in jeopardy.

It is not clear how the proposed treatment of the BLM lands in section 21 would cause an increase in traffic in your area, other than a temporary increase in traffic resulting from log trucks during the operation.

comment g: A*7. Illegal dumping has required garbage clean up along the road and on our property. Increased access into off road areas will encourage unknown persons to dump in these areas.*@

BLM Response: The proposed action contains a design feature to obliterate and block roads and skid trails in Section 21. Additionally, the IDT developed another alternative (Alternative 4) which dropped section 21 from further consideration for treatment at this time

comment h: A*8. Fire danger. Areas opened by logging adjacent to private forested areas would provide access and potential fire danger due to improper use by unknown persons. Our property is covered with a stand of mature Douglas Fir* (sic) *and Cedar. We do not want to lose the aesthetic and / or economic value of this timber.*@

BLM Response: A Fuels Hazard/Risk Assessment of the area has been conducted (Project Record Document 86) and appropriate measures will be taken to reduce any expected fire hazard.

comment i: A*9. Robbery. With increased access, the potential for loss of private property also increases. Our home was robbed two years ago, and we have installed a security system. We have forested area surrounding our home, which also provides security. If the area directly north of our property were logged, access to our property would be possible from the logging roads. This would severely affect our security. We have lived on this property since 1981 and safety in our home has not been a worry. With access into this area north of our property, our safety would be a concern.*@

BLM Response: See BLM Response to Project Record Document 53 comment e.

comment j: A*In addition to the Tillamook Resource Area Environmental Analysis (EIA)* (sic), *we request an outside assessment of the region in Section 21, Figure 3 Map* [scoping report inclusion], *to determine the value of the timber and the environmental impact to the various properties in Section 21. We also request that the EIA* (sic) *and any local hearings should be completed and resolved prior to awarding logging contracts or bids. This will ensure that there isn=t a conflict of interest between property owners, BLM and harvest contractors. We also request a copy for review of the report describing the findings of the Tillamook Resource Area Environmental Analysis (EIA)* (sic) *and any outside assessment completed regarding the McDairy Berger Project with specific reference to Section 21, Figure 3 Map.*@

BLM Response: The Bureau of Land Management employs staff of experts who meticulously analyze and disclose the impacts of BLM actions on the quality of the human environment consistent with Council of Environmental Quality regulations, the National Environmental Policy Act, and other laws, rules and regulations applying to Federal Land Management. It is not our policy to hire outside consultants to conduct our analysis. In addition, it is not our responsibility to conduct economic analyses or appraisal of adjacent property.

When completed, a copy of the EA will be mailed to you for you review and comment during the standard 30-day public comment period.

comment k: A*If the BLM EIA* (sic) *and the outside assessment determine harvesting will take place, we would like a copy of the timber sale agreement and harvest plans. We recommend that any contractor bids and / or the BLM should include the following in the reclamation budget for the area:*@

BLM Response: Please see the BLM Response to Project Record Document 53 comment h.

As previously stated, BLM experts will conduct our environmental analysis in a fashion which is consistent with CEQ regulation, the National Environmental Policy Act, and other laws, rules and regulations applying to Federal Land Management.

comment l: A*1. Reseeding with an indigenous seeding mix comparable to the plants and trees prior to logging.*@

BLM Response: Please see EA chapter 2 for a complete description of the proposed action.

comment m: A*2. Provide continued habitat of the Tall Bugbane plant species.*@

BLM Response: Please see BLM response to Project Record Document 58 comment a.

comment n: A*3. Provide for continued habit of migrating deer, elk and birds.*@

BLM Response: Please see BLM response to Project Record Document 54 comment m.

comment o: A*4. Reclaim skid roads created by logging and close to public access.*@

BLM Response: Please see EA chapter 2 for a complete description of the proposed action which includes the design feature to obliterate skid trails where appropriate.

comment p: A*5. Install secure barriers to prevent access to logging areas during and after harvesting.*@

BLM Response: Please see BLM response to Project Record Document 54 comment g.

comment q: A*6. Enhance the buffer zone to twice the normal size to maintain property owner=s privacy, security and property value.*@

BLM Response: The BLM does not have any standard width for visual buffers. If visual buffers are considered for a project, they are determined on site, based on the conditions of the site. Please see EA chapter 2 for a complete description of the proposed action which includes a visual buffer of approximately 50 feet.

comment r: A*7. Select cut rather than clear-cut of BLM forest in Section 21, Figure 3 map.*@

BLM Response: Please see BLM response to Project Record Document 54 comment c.

comment s: A*8. Harvest method preferred by helicopter or horse to minimize need for skid roads and landing areas.*@

BLM Response: See BLM response to Project Record Document 54 comment f.

comment t: A*9. Remove slash created by logging.*@

BLM Response: Productivity of a growing site can be maintained by retaining logging slash following harvest. This is because the slash contains large amounts nutrients which become plant available and will benefit the growth of the young planted trees. In addition, retaining slash on site reduces the exposure of mineral soil which can reduce the incidence of some undesirable weed species, such as scotch broom. To maximize the retention of nutrient capitol on the site we are proposing to retain the slash on site, but treat it to allow reforestation and reduce fire hazard. Also, please see BLM response to Project Record Document 58 comment h, the Fire Hazard assessment, Project Record Document 86, and EA Appendix 1 for a description of slash treatment in the Proposed Action.

comment u: A*10. Road repair and resurfacing (compensate local improvement District).*@

BLM Response: Please see BLM Comment to Project record document 54 comment h.

comment v: A*11. Dust oil abatement to gravel roads (i.e. Soleberger, Pederson, and/or Moreland Roads).*@

BLM Response: Please see BLM Comment to Project Record Document 54 comment h.

comment w: A*12. Compensate landowners for dust damage affecting residences and/or high value crops (Christmas Trees and vineyards).*@

BLM Response: If a private land holder believes that BLM is responsible for damages to their property which results in loss of economic value, the private land holder can file a tort claim against the Federal Government. To file a tort claim against the Government, contact your attorney.

comment x: A*13. Eliminate and curtail infestation of Scotch Broom due to opening of forest canopy for logging.*@

BLM Response: Please see BLM Comment to Project Record Document 54 comment h.

comment y: A*14. Test well water quality and volume before harvest and provision for testing in the case of extensive run-off and / or flooding onto private property.*@

BLM Response: Please see our response to Project Record Document 58 comment c. We will not be conducting ground water quality testing. Please see EA chapter 3 for a complete analysis of the projects effects on water quality.

comment z: A*15. Increased security and patrol of neighborhood to ensure unknown persons are not entering logging areas during and after harvest.*@

BLM Response: Security on private and county lands is not the responsibility of the BLM or logging contractors working on public lands. Logging contractors frequently maintain a watchman to ensure the safety of their property and comply with Oregon Department of Forestry fire prevention laws during their operations, but these persons are not responsible for maintaining security of private or county properties in the area.

As previously stated, BLM does maintain a law enforcement presence on BLM lands. However, since public lands are open for public use, it would be inappropriate for BLM to monitor who is using these lands and when they are using them.

If the residence living proximal to BLM administered lands feel that an increase in Washington County Sheriffs presence is warranted, we would lend our support to your request. However, our support would be verbal, and would not include any financial compensation.

comment aa: A*16. Compensation for vandalism and / or robbery due to access into private property via logging roads.*@

BLM Response: The BLM is not responsible for criminal activities on private property regardless of its juxtaposition with BLM administered lands.

comment bb: A*17. Compensation for fire loss, e.g. private residences and / or forest due to improper use of BLM areas logged and opened to public access.*@

BLM Response: If a private land holder believes that BLM is responsible for their losses, the private land holder can file a tort claim against the Federal Government. To file a tort claim against the Government, contact your attorney. Information on how to file a tort claim can be received by contacting the US Attorney in Portland.

We would also like to remind you that Public Lands are open to public access.

comment cc: A*18. Garbage removal from harvested areas where illegal dumping has occurred during and at any time after the harvest.*@

BLM Response: Please see BLM response to Project Record Document 58 comment g.

Project record document 62: Ken and Janet Strandberg wrote on August 21, 2000

comment a: A*While we concur with the property owners who would be affected by this proposal, we property owners on Dorland Rd. also have some concerns if truck hauling were to occur on Dorland Rd.*@

BLM Response: We do not believe it will be necessary to use Dorland Road as a haul route for the Plentywater Project. However, the Purchaser may use any county road they wish to use. The BLM has no control over the use of county roads, nor is the BLM responsible for the maintenance and/or repair of County roads.

Project record document 63: Terry E. Lawler, Senior Planner, Washington County Land Development Services wrote on August 28 2000:

comment a: "*Certain elements of the proposal (tree removal/reforestation/tree thinning/weed control) fall under the authority of the Oregon Department of Forestry.*@

BLM Response: We would like to point out that due to fire protection contracts with the Oregon Department of Forestry (ODF), fire prevention and protection measures on federal land are under ODF authority. All other land management activities on Federal Lands, while typically consistent with State guidelines, are exempted from State law.

comment b: A*Other elements, (road construction/reconstruction/decommissioning, or habitat restoration) require consistency with the County=s grading and erosion control standards. These are included in Section 410 of our Community Development code (CDC hereafter).*

BLM Response: All of the projects proposed in the Plentywater Creek project would be compliant with applicable rules and regulations.

comment c: A*Additionally, portions of the described project require consistency with the*

development standards for activities and uses located within delineated drainage hazard of flood plain areas (fish and wildlife habitat enhancement). The standards pertaining to development actions in flood hazard areas are included in Section 421 of the CDC, and Section 422 covers review standards for activities located within Significant Natural Resource Areas, such as streams.@

BLM Response: The area identified for instream enhancement is located on federal land in Denny Creek and in the East Fork of Dairy Creek above Greener Road. In the recent past, the segment in the East Fork of Dairy Creek area provided some of the best rearing habitat for salmonids, including federally listed as threatened steelhead. In 1996 this section of stream was channelized and bermed during flood control efforts by Washington County, basically eliminating any fish habitat. We are proposing to place large wood in this section of stream in an attempt to restore this stream reach. We have fishery biologists, wildlife biologists, hydrologists and engineers on our staff that have input in the design and implementation of these types of projects. Prior to implementation of these projects we obtain the appropriate review and permits (Department of State Lands, Oregon Department of Fish and Wildlife, Corps of Engineers, etc.).

Project record document 64: Rick Bernard wrote on August 25th 2000

comment a: A*My concerns are two fold: One being the proposed traffic on Dorland Road which we (the neighbors) paved through an L.I.D. Secondly, our concerns with the after math effects of logging, and that those effects be minimized through appropriate use of accepted measures.@*

BLM Response: Please see BLM response to Project Record Document 62 comment a.

Project record document 65: US FWS wrote on September 6, 2000

comment a: Page 1 paragraph 1- A*The proposed project in the Diary Creek, Mckay* (sic) *Creek, and Rock Creek Watersheds includes ... 2.7 miles of new temporary and permanent roads, 0.7 miles of road reconstruction, 2 miles of road maintenance and 1.1 miles of road obliteration.@*

BLM Response: Please see chapter 2 of the EA for a description of the proposed action and chapter 3 of the EA for a compete analysis of the impacts of roads in the Plentywater Creek Project.

comment b: Page 1 paragraph 3 - A*There is a concern by the Service as to the ability of these watersheds to provide dispersal habitat for various species including the northern spotted owl across the landscape. The service would like to see specific analysis of existing dispersal habitat and the potential impacts of this proposed project on dispersal habitat within these watersheds.@*

BLM Response: See Appendix 10 of the EA for an analysis of the impacts of the Proposed Action on spotted owls.

comment c: Page 2 paragraph 1- *"The service is concerned about the apparent proposed net increase of roads proposed for the project in areas identified as already having a high density of existing roads. The Dairy-Mckay* (sic) *Watershed Analysis indicates that this watershed has an overall density of 4.28 miles per square mile and that the BLM lands are at 3.06 miles per square mile. The proposed project would result in a net increase if 1.6 miles of new road.@*

BLM Response: The WA does indicate that BLM lands have a lower road density than other parts of the watershed. The implementation of the Plentywater Project will not result in a net increase of BLM road mileage within the Dairy-McKay Creek watershed as you suggest. Please refer to Chapter 2 of the EA for a description of the proposed road management with resultant net decrease in road mileage within the watershed. The net decrease in roads will be achieved through the combination of removing all temporary roads, some of the reconstructed roads and some of the existing roads.

comment d: Page 2 paragraph 1 - *"discussion should be included in the Environmental Assessment that will fully analyze the potential impacts of the proposed increased road miles within these watersheds to both resident and anadromous fish,...@*

BLM Response: The impacts of all components of the proposed Plentywater Project to resident and anadromous fish species within the Dairy Creek watershed are discussed within Chapter 3 of the EA, and the supporting appendices.

comment e: A*...terrestrial and aquatic species, any Threatened, Endangered, Proposed, or Sensitive species, as well as other game and non-game species and plants.@*

BLM Response: Please see Chapter 3 of the EA and supporting appendices for an analysis of the impacts of this action on terrestrial and aquatic species of concern.

comment f: Page 2 paragraph 2 A*The Service would also be concerned if any of the proposed regeneration or thinning units are proposed for mature or late successional forest. The watershed analysis (WA) for the Dairy Mckay (sic) watershed indicates that there is little of this habitat. According to the WA, only three percent of BLM lands are in a mature stage and 91 percent of BLM lands are between 30 and 80 years old which is pole/sapling and small tree size classes.@*

BLM Response: There is no mature or late-successional forest proposed for treatment in this project.

comment g: P2p2 cont. A*We are also curious whether or not the 15 percent retention guideline as per the ROD has been implemented within these watersheds.@*
BLM Response: The 15% analysis has been completed and deferrals have been implemented. Information on the 15% analysis can be attained by contacting the Tillamook Field Office.

Project record document 138: On July 11, 2001 the BLM received a letter from George Sexton, representing the American Lands Alliance. While this letter was received after the scoping period, it was reviewed by the IDT to determine if any new issues were raised. The comments and BLM responses to them are below. No new issues were identified.

comment a: "*Restoration Alternative. We encourage the District to follow the Aquatic Conservation Strategy mandate to maintain and restore hydrological functions by developing an alternative focusing on watershed restoration"*

BLM Response: Please see Appendix 9 and 11 of the EA for an analysis of the Action alternatives and ACS objectives.

comment b: "*A watershed restoration alternative could provide both a meaningful base-line with which to compare the extraction alternatives and provide the agency an opportunity to improve watershed health and resiliency*"

BLM Response: Please see BLM response to comment l, Project Record Document 47.

comment c: "*Roads. ALA believes that there are already far too many roads present on federal forest lands than can be maintained in a safe and ecologically sound manner. Even temporary roads often have long-term impacts on hydrology and soil compaction. Please consider alternatives that do not require any further road construction and explore every opportunity to limit road construction as much as possible. We are expressly requesting a 'no new roading' alternative be considered in the development of these timber sales.*"

BLM Response: All of the action alternatives result in a net decrease in road mileage within the Dairy-McKay Creek watershed. A helicopter yarding alternative was explored as a way to reduce road construction. The helicopter alternative was not analyzed in detail. Chapter 2 of the EA contains a complete description of the Proposed Action and alternatives as well as the alternatives dropped from detailed analysis which includes helicopter. Please see Chapter 3 of the EA for an analysis of the effects of roads in the Plentywater Creek Project area.

comment d: "*Connectivity. The use of timber stands for wildlife connectivity is an important issue to ALA. Please document and explain the habitat connectivity functions provided by the stands identified in the NEPA documentation. Please explain the types of animals and the times of year when the stands are used for connectivity. Will incidental take permits be requested as part of these projects? Are any of the proposed harvest units in areas that are now or were in past designated as critical habitat?*"

BLM RESPONSE: Connectivity is an important issue to the BLM as well. This project proposal is consistent with the land use allocations objectives and the project types considered within the analysis for the Northwest Forest Plan and the Salem District RMP. Because there are no unique or unusual situations (relative to connectivity) resulting from site specific conditions of the ownership pattern, known sites of species of special concern, or landscape character, there are no

impacts to wildlife habitat connectivity expected to result from the implementation of the proposed action aside from what was analyzed and/or disclosed within the FEIS.

Whether an animal's movements are associated with the dispersal of young, avoidance of a predator, daily utilization of a territory, or seasonal migrations, the conditions necessary to facilitate habitat connectivity are very dependent upon the individual species being considered. As an example, warty jumping-slugs, clouded salamanders, western bluebirds, northern spotted owls, Roosevelt elk, and red tree voles all have very different behaviors and habitat requirements; a travel corridor to one species, may be a barrier to another. The analysis necessary to determine to impacts of a particular management strategy upon the health of a particular species or population is most appropriately conducted at a watershed or landscape or regional scale. This regional analysis was completed as apart of the Northwest Forest Plan FSEIS, with additional analysis conducted within the FEIS for the Salem District RMP and the watershed analysis.

For a discussion of the expected impacts to species of concern, see Appendix 10, "Wildlife Resources Biological Evaluation."

comment e: "*Timeliness of surveys. Please ensure that plant and animal surveys are done during the time of year when the looked-for plant or animal is most likely to be found. It is very important that these surveys be done in a timely enough manner that the agency is not committed to implementing the sale by the time surveys are commenced. We would like impacts to survey and manage species, Management Indicator Species or "focal" species and Red-Tree vole and Northern Spotted Owl habitat to be explicitly addressed in the NEPA documentation.*"

BLM Response: Pursuant to the Record of Decision for Amendments to the Survey and Manage Protection Buffer and Other Mitigation Measures Standards and Guidelines in Forest Service and Bureau of Land Management Planning Procedures Within the Range of the Northern Spotted Owl (January 2001), required surveys will be completed and their results included in the NEPA documentation.

comment f: "*Transient Snow Zone (TSZ). Please avoid harvest and road building activities in the TSZ due to the risk of increased turbidity and peak flows from rain on snow events.*"

BLM Response: For an analysis of the impacts of harvest and road building activities please see Chapter 3 of the EA.

comment g: "*Steep Slopes: Please avoid harvest on steep slopes and provide accurate slope and aspect information for all proposed units.*"

BLM Response: For an analysis of the topography and expected impacts related to harvest activites, please see Chapter 3 of the EA.

comment h: "*Riparian Reserves. Commercial harvest in riparian reserves should be avoided.*

For any riparian reserve projects pleas explicitly explain how yarding of the harvested volume and associated yarding will contribute to attainment of the ASCO."

BLM Response: The project includes some Riparian Reserve treatments. For an analysis of the Riparian Reserve relative to the ACS objectives, please see Appendix 9 and 10 of the EA.

comment i: "*Connected and Cumulative Actions: All reasonably foreseeable connected and cumulative actions, including timber harvests and road building, within the same 5th and 6th field watersheds must be disclosed and analyzed in the project documentation. The cumulative effects of continued commercial timber harvesting and logging road construction on wildlife connectivity and dispersal and the attainment of Aquatic Conservation Strategy Objectives should be examined during the NEPA process.*"

BLM Response: Contained in the EA is a cumulative effects analysis conducted by each specialists for each of the Issues (Soil, Water and Rural Interface) as well as the remaining environmental elements (wildlife, fish, vegetation). For these environmental element specific Cumulative effects analyses see Chapter 3 of the EA. For a discussion of Past, Present and Reasonably foreseeable future actions please see Appendix 4 of the EA.